

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

BRIAN SCIARA,

Plaintiff,

v.

STEPHEN CAMPBELL,

Defendant.

Case No. 2:18-cv-01700-DJA

**ORDER**

Presently before the Court is Defendant Stephan Campbell's Motion to Seal Exhibit E-2 to Defendant's Motion for Sanctions (ECF No. 98), filed on April 9, 2021. To date, no response has been filed. The Court finds this matter properly resolved without a hearing. *See* Local Rule 78-1.

Defendant requests leave to file Exhibit E-2 to his Motion under seal as it contains information designated as confidential under the parties' protective order. Plaintiff did not file any response. Consequently, Plaintiff's failure to file points and authorities in response to the motion "constitutes a consent to the granting of the motion." LR 7-2(d).

Moreover, the Court finds that Defendant has met the standard to seal. Although the fact that the information was disclosed as confidential under the Protective Order is not alone sufficient, it is the type of confidential financial information that may be protected by the Ninth Circuit's directives in *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006) and *Center for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1097 (9th Cir. 2016). The Court finds that protecting confidential financial information is a compelling reason to seal Exhibit E-2. *See, e.g., Youtoo Techs., Inc. v. Twitter, Inc.*, 2017 WL 3396496 at \*2 (D. Nev. Aug. 7, 2017). Therefore, the Court will grant Defendant's Motion to Seal (ECF No. 98).

1 In addition, this matter is before the Court on Plaintiff's Motion to Seal Exhibits 1-2 to his  
2 Response ECF No. 105 (ECF No. 106), filed on April 23, 2021. Again, the Court finds that the  
3 standard to seal has been met as the documents were designated as confidential under the parties'  
4 protective order and the Court finds protecting financial information at issue in the Exhibits 1-2 is  
5 a compelling reason.

6 **IT IS HEREBY ORDERED** that Defendant Stephan Campbell's Motion to Seal Exhibit  
7 E-2 to Defendant's Motion for Sanctions (ECF No. 98) is **granted**.

8 **IT IS FURTHER ORDERED** that the Clerk of the Court shall unseal the Motion for  
9 Sanctions (ECF No. 99) and the exhibits ECF No. 99-1 through ECF No. 99-6 while maintaining  
10 the seal on Exhibit E-2 (ECF No. 99-7).

11 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Seal Exhibits 1-2 to his  
12 Response ECF No. 105 (ECF No. 106) is granted. Plaintiff shall file his Exhibits 1-2 under seal.

13 DATED: April 26, 2021.

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16 DANIEL J. ALBREGTS  
17 UNITED STATES MAGISTRATE JUDGE  
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